AMENDMENTS TO THE CLAIMS

- (currently amended) A method of transmitting data comprising the steps of:
 channel coding an encoder packet to produce a channel coded encoder packet; and
 puncturing and/or repeating the channel coded encoder packet to produce a first
 encoder sub-packet having a first size based on a size of the encoder packet and a first data
 transmission rate at which the first encoder sub-packet is to be transmitted, wherein the first
 data transmission rate is different from and based on a data rate for transmitting the first
 encoder sub-packet indicated in a first rate indication message from a receiver.
- 2. (original) The method of claim 1, wherein the first data transmission rate is based on first channel conditions measured at a receiver to which the first encoder sub-packet is intended.
- 3. (original) The method of claim 1, wherein the first encoder sub-packet has a format which allows the first encoder sub-packet to be soft combined with a second encoder sub-packet derived from the same encoder packet as the first encoder sub-packet.
- 4. (original) The method of claim 3, wherein the first encoder sub-packet is of a different size than the second encoder sub-packet.
- 5. (original) The method of claim 3, wherein the first encoder sub-packet is of an identical size than the second encoder sub-packet.
- 6. (original) The method of claim 1 comprising the additional step of: adding a first encoder packet size identifier to the first encoder sub-packet indicating the size of the encoder packet from which the first encoder sub-packet was derived.
- (original) The method of claim 6 comprising the additional step of:
 transmitting the first encoder sub-packet with the first encoder packet size identifier at the first data transmission rate.



Serial No. 09/725,393

the first data transmission rate.

- 8. (original) The method of claim 7, wherein the first encoder sub-packet with the first encoder packet size identifier is modulated using a modulation scheme based on the first data transmission rate.
- 9. (original) The method of claim 7 comprising the additional step of: prior to the step of transmitting the first encoder sub-packet, transmitting a rate indication message to a receiver to which the first encoder sub-packet is intended indicating
- 10. (original) The method of claim 1 comprising the additional step of: adding an encoder sub-packet format identifier to the first encoder sub-packet indicating a first format of the first encoder sub-packet.
- 11. (original) The method of claim 10 comprising the additional step of: transmitting the first encoder sub-packet with the first encoder sub-packet format identifier at the first data transmission rate.
- 12. (original) The method of claim 11, wherein the first encoder sub-packet with the first encoder sub-packet format identifier is modulated using a modulation scheme based on the first data transmission rate.
- 13. (original) The method of claim 11 comprising the additional step of: prior to the step of transmitting the encoder sub-packet, transmitting a first rate indication message to a receiver to which the first encoder sub-packet is intended indicating the first data transmission rate.
- 14. (currently amended) The method of claim 1 comprising the additional step of: prior to the step of puncturing and/or repeating the channel coded encoder packet, receiving [a] the first rate indication message from a receiver to which the encoder packet is intended indicating a data rate based on first channel conditions measured at the receiver.
- 15. (canceled)



- 16. (currently amended) The method of claim [15] 14 comprising the additional step of: transmitting a new rate message to the intended receiver indicating the first data transmission rate.
- 17. (original) The method of claim 1 comprising the additional steps of:

receiving a NACK message indicating that a transmission of the encoder subpacket was not successfully received at a receiver to which the first encoder sub-packet was intended; and

puncturing and/or repeating the channel coded encoder packet to produce a second encoder sub-packet having a second size based on a size of the encoder packet and a second data transmission rate at which the second encoder sub-packet is to be transmitted.

18. (currently amended) A method of receiving a data transmission comprising the steps of:
receiving at a receiver a message indicating a first data transmission rate;
receiving a first encoder sub-packet with a first encoder packet size identifier
indicating a size of the first encoder sub-packet; and

decoding the first encoder sub-packet using the first encoder packet size identifier and the first data transmission rate, wherein the first data transmission rate is different from and based on a data rate for transmitting the first encoder sub-packet indicated in a first rate indication message from a receiver.

19. (original) The method of claim 18 comprising the additional step of:

transmitting a negative acknowledgement message and a rate indication message if the first encoder sub-packet can not be successfully decoded, wherein the rate indication message indicates current channel conditions at the receiver.

20. (original) The method of claim 19, comprising the additional steps of:

receiving a message indicating a second data transmission rate;

receiving a second encoder sub-packet with a second encoder packet size identifier indicating a size of the second encoder sub-packet; and

decoding the second encoder sub-packet using the second data transmission rate, the second encoder packet size identifier and the first encoder sub-packet.

21. (currently amended) A method of receiving a data transmission comprising the steps of:
receiving at a receiver a message indicating a first data transmission rate;
receiving a first encoder sub-packet with a first encoder sub-packet format
identifier indicating a format of the first encoder sub-packet; and

decoding the first encoder sub-packet using the first encoder sub-packet format identifier and the first data transmission rate, wherein the first data transmission rate is different from and based on a data rate for transmitting the first encoder sub-packet indicated in a first rate indication message from a receiver.

22. (original) The method of claim 21 comprising the additional step of: transmitting a negative acknowledgement message and a rate indication message if the first encoder sub-packet can not be successfully decoded, wherein the rate indication message indicates current channel conditions at the receiver.

23. (original) The method of claim 22, comprising the additional steps of: receiving a message indicating a second data transmission rate; receiving a second encoder sub-packet with a second encoder sub-packet format identifier encoder sub-packet indicating a format of the second encoder sub-packet; and decoding the second encoder sub-packet using the second data transmission rate, the second encoder sub-packet format identifier and the first encoder sub-packet.

